

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/803,461 Confirmation No.: 5482
Applicant : GREGORY J. PETERSON
Title : ARTIFICIAL FIRELOG AND FIRESTARTER CHIP PRODUCING
APPARATUS AND METHOD AND PRODUCTS PREPARED
THEREFROM
Filed : 03/17/2004
TC/A.U. : 1714
Examiner : CEPHIA D. TOOMER
Docket No. : FUT5024.05A2
Cust. No. : 8156

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22213-1450

TERMINAL DISCLAIMER

**1. TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION
OVER A PRIOR PATENT**

GREGORY J. PETERSON, GARY M. FLINT, THE ESTATE OF GREGORY J. PETERSON, AND CLEAN HEAT, LLC, as owners of a 100 percent interest in the instant application, hereby disclaim, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any one of the following prior U.S. Patents:

6,716,260
6,716,259

The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and the foregoing prior patents are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owners do not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Appl. No.: 10/803,461
T.D. Dated: 06/23/2008

2. TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

GREGORY J. PETERSON, GARY M. FLINT, THE ESTATE OF GREGORY J. PETERSON, AND CLEAN HEAT, LLC, as owners of a 100 percent interest in the instant application, also hereby disclaim, except as provided below, the terminal part of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as shortened by any terminal disclaimer filed prior to grant, of any patent granted on any of the following pending U.S. patent applications:

11/009,700 filed on 12/10/2004

The owners hereby agree that any patent so granted on the instant application shall be enforceable only for and during such period that it and each patent granted on the foregoing pending applications are commonly owned. This agreement runs with the patent granted on the instant application and is binding upon the grantee, its successors and/or assigns. In making this disclaimer, the owners do not disclaim any terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. § 154 to 156 and 173 of any patent granted on any of the foregoing patent applications, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer filed prior to its grant.

The undersigned is the attorney of record. The statutory disclaimed fee of \$65 is authorized to be charged to deposit account no. 07-1137. Any fee deficiency is authorized to be charged to deposit account no. 07-1137.

Date: 06/23/2008.

Respectfully submitted,



John P. O'Banion, Reg. No. 33,201
O'BANION & RITCHEY LLP
400 Capitol Mall, Suite 1550
Sacramento, CA 95814
(916) 498-1010